

IC 21-3-1.6

Chapter 1.6. General Distribution

IC 21-3-1.6-1 Repealed

(Repealed by Acts 1980, P.L.40, SEC.6.)

IC 21-3-1.6-1.1

Definitions

Sec. 1.1. As used in this chapter:

(a) "School corporation" means any local public school corporation established under Indiana law. Except as otherwise indicated, the term includes a charter school.

(b) "School year" means a year beginning July 1 and ending the next succeeding June 30.

(c) "State distribution" due a school corporation means the amount of state funds to be distributed to a school corporation in any calendar year under this chapter.

(d) "Average daily membership" or "ADM" of a school corporation means the number of eligible pupils enrolled in the school corporation or in a transferee corporation on a day to be fixed annually by the Indiana state board of education and, beginning in the school year that ends in the 2005 calendar year, as subsequently adjusted not later than January 30 under the rules adopted by the state board of education. The initial day of the count shall fall within the first thirty (30) days of the school term. If, however, extreme patterns of student in-migration, illness, natural disaster, or other unusual conditions in a particular school corporation's enrollment on either the day fixed by the Indiana state board of education or on the subsequent adjustment date, cause the enrollment to be unrepresentative of the school corporation's enrollment throughout a school year, the Indiana state board of education may designate another day for determining the school corporation's enrollment. The Indiana state board of education shall monitor changes that occur after the fall count, in the number of students enrolled in programs for children with disabilities and shall, before December 2 of that same year and, beginning in the 2004 calendar year, before April 2 of the following calendar year, make an adjusted count of students enrolled in programs for children with disabilities. The superintendent of public instruction shall certify the December adjusted count to the budget committee before February 5 of the following year and the April adjusted count not later than May 31 immediately after the date of the April adjusted count. In determining the ADM, each kindergarten pupil shall be counted as one-half (1/2) pupil. Where a school corporation commences kindergarten in a school year, the ADM of the current and prior calendar years shall be adjusted to reflect the enrollment of the kindergarten pupils. In determining the ADM, each pupil enrolled in a public school and a nonpublic school is to be counted on a full-time equivalency basis as provided in section 1.2 of this chapter.

(e) "Additional count" of a school corporation, or comparable

language, means the aggregate of the additional counts of the school corporation for certain pupils as set out in section 3 of this chapter (repealed) and as determined at the times for calculating ADM. "Current additional count" means the initial computed additional count of the school corporation for the school year ending in the calendar year. "Prior year additional count" of a school corporation used in computing its state distribution in a calendar year means the initial computed additional count of the school corporation for the school year ending in the preceding calendar year.

(f) For purposes of this subsection, "school corporation" does not include a charter school. "Adjusted assessed valuation" of any school corporation used in computing state distribution for a calendar year means the assessed valuation in the school corporation, adjusted as provided in IC 6-1.1-34. The amount of the valuation shall also be adjusted downward by the department of local government finance to the extent it consists of real or personal property owned by a railroad or other corporation under the jurisdiction of a federal court under the federal bankruptcy laws (11 U.S.C. 101 et seq.) if as a result of the corporation being involved in a bankruptcy proceeding the corporation is delinquent in payment of its Indiana real and personal property taxes for the year to which the valuation applies. If the railroad or other corporation in some subsequent calendar year makes payment of the delinquent taxes, then the state superintendent of public instruction shall prescribe adjustments in the distributions of state funds pursuant to this chapter as are thereafter to become due to a school corporation affected by the delinquency as will ensure that the school corporation will not have been unjustly enriched under the provisions of P.L.382-1987(ss). The amount of the valuation shall also be adjusted downward by the department of local government finance to the extent it consists of real or personal property described in IC 6-1.1-17-0.5(b).

(g) "General fund" means a fund established under IC 21-2-11-2.

(h) "Teacher" means every person who is required as a condition of employment by a school corporation to hold a teacher's license issued or recognized by the state, except substitutes and any person paid entirely from federal funds.

(i) For purposes of this subsection, "school corporation" does not include a charter school. "Teacher ratio" of a school corporation used in computing state distribution in any calendar year means the ratio assigned to the school corporation pursuant to section 2 of this chapter.

(j) "Eligible pupil" means a pupil enrolled in a school corporation if:

- (1) the school corporation has the responsibility to educate the pupil in its public schools without the payment of tuition;
- (2) subject to subdivision (5), the school corporation has the responsibility to pay transfer tuition under IC 20-8.1-6.1, because the pupil is transferred for education to another school corporation (the "transferee corporation");
- (3) the pupil is enrolled in a school corporation as a transfer

student under IC 20-8.1-6.1-3 or entitled to be counted for ADM or additional count purposes as a resident of the school corporation when attending its schools under any other applicable law or regulation;

(4) the state is responsible for the payment of transfer tuition to the school corporation for the pupil under IC 20-8.1-6.1; or

(5) all of the following apply:

(A) The school corporation is a transferee corporation.

(B) The pupil does not qualify as a qualified pupil in the transferee corporation under subdivision (3) or (4).

(C) The transferee corporation's attendance area includes a state licensed private or public health care facility, child care facility, or foster family home where the pupil was placed:

(i) by or with the consent of the division of family and children;

(ii) by a court order;

(iii) by a child placing agency licensed by the division of family and children; or

(iv) by a parent or guardian under IC 20-8.1-6.1-5.

For purposes of IC 21-3-12, the term includes a student enrolled in a charter school.

(k) "General fund budget" of a school corporation means the amount of the budget approved for a given year by the department of local government finance and used by the department of local government finance in certifying a school corporation's general fund tax levy and tax rate for the school corporation's general fund as provided for in IC 21-2-11. The term does not apply to a charter school.

(l) "At risk index" means the following:

(1) For a school corporation that is not a charter school, the sum of:

(A) the product of sixteen-hundredths (0.16) multiplied by the percentage of families in the school corporation with children who are less than eighteen (18) years of age and who have a family income below the federal income poverty level (as defined in IC 12-15-2-1);

(B) the product of four-tenths (0.4) multiplied by the percentage of families in the school corporation with a single parent; and

(C) the product of forty-four hundredths (0.44) multiplied by the percentage of the population in the school corporation who are at least twenty (20) years of age with less than a twelfth grade education.

The data to be used in making the calculations under this subdivision must be the data from the 2000 federal decennial census.

(2) For a charter school, the index determined under subdivision

(1) for the school corporation in which the charter school is located.

(m) "ADM of the previous year" or "ADM of the prior year" used

in computing a state distribution in a calendar year means the initial computed ADM for the school year ending in the preceding calendar year.

(n) "Current ADM" used in computing a state distribution in a calendar year means the initial computed ADM for the school year ending in the calendar year.

As added by Acts 1980, P.L.40, SEC.5. Amended by Acts 1980, P.L.156, SEC.4; Acts 1981(ss), P.L.1, SEC.3; P.L.20-1984, SEC.188; P.L.5-1988, SEC.112; P.L.23-1993, SEC.124; P.L.36-1994, SEC.38; P.L.340-1995, SEC.87; P.L.53-1996, SEC.7; P.L.119-1996, SEC.19; P.L.2-1997, SEC.63; P.L.93-2000, SEC.1; P.L.291-2001, SEC.239; P.L.90-2002, SEC.450; P.L.111-2002, SEC.6; P.L.224-2003, SEC.156; P.L.276-2003, SEC.23.

IC 21-3-1.6-1.2

Full-time equivalency of pupil; consideration in school corporation's ADM count

Sec. 1.2. (a) This section applies only to a pupil who:

- (1) is enrolled in a public school and a nonpublic school;
- (2) has legal settlement in a school corporation; and
- (3) receives instructional services from the school corporation.

(b) A pupil described in subsection (a) may be considered in a school corporation's ADM count on a full-time equivalency basis as determined under subsection (c).

(c) For purposes of this section, full-time equivalency is calculated as follows:

STEP ONE: Determine the result of:

- (A) the number of days instructional services will be provided to the pupil, not to exceed one hundred eighty (180); divided by
- (B) one hundred eighty (180).

STEP TWO: Determine the result of:

- (A) the pupil's public school instructional time (as defined in IC 20-10.1-2-1(b)), rounded to the nearest one-hundredth (0.01); divided by
- (B) the actual public school regular instructional day (as defined in IC 20-10.1-2-1(b)), rounded to the nearest one-hundredth (0.01).

STEP THREE: Determine the result of:

- (A) the STEP ONE result; multiplied by
- (B) the STEP TWO result.

STEP FOUR: Determine the lesser of one (1) or the result of:

- (A) the STEP THREE result; multiplied by
- (B) one and five hundredths (1.05).

(d) If the computation for a pupil under subsection (c) results in a fraction, the fraction must be rounded to the nearest one-hundredth (0.01).

As added by P.L.93-2000, SEC.2.

IC 21-3-1.6-2

Teacher ratio; calculation of training and experience factor

Sec. 2. (a) As used in this section, "school corporation" does not include a charter school.

(b) To each school corporation there shall be assigned for each calendar year a teacher ratio which shall consist of the average training and experience factor of the school corporation divided by the state training and experience factor for the same year. The training and experience factor of the school corporation for each calendar year shall be calculated by assigning to each of its teachers employed on October 1 of the preceding year an index number in accordance with the following table, adding the total index numbers of all teachers in the school corporation and dividing the total by the number of teachers. The state factor shall be similarly calculated for all the teachers employed by the state's school corporations.

	Amount of College Training	Amount of Experience	Index Factor
(a)	Less than 4 years	Not applicable	0.7
(b)	4 years but less than 5 years	Less than 6 years	0.8
		6 years or more	0.9
(c)	5 years or more	Less than 5 years	1.0
		5 years or more but less than 11 years	1.1
		11 years or more but less than 17 years	1.2
		17 years or more	1.3

(Formerly: Acts 1975, P.L.343, SEC.3.) As amended by P.L.276-2003, SEC.24; P.L.97-2004, SEC.80.

IC 21-3-1.6-3**Repealed**

(Repealed by P.L.273-1999, SEC.147.)

IC 21-3-1.6-3.1**Repealed**

(Repealed by P.L.340-1995, SEC.107.)

IC 21-3-1.6-3.2**Repealed**

(Repealed by P.L.273-1999, SEC.147.)

IC 21-3-1.6-3.3**Repealed**

(Repealed by P.L.1-2002, SEC.172.)

IC 21-3-1.6-3.4

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(Repealed by P.L.1-2002, SEC.172.)

IC 21-3-1.6-4

Repealed

(Repealed by Acts 1979, P.L.208, SEC.12.)

IC 21-3-1.6-5

Repealed

(Repealed by P.L.53-1996, SEC.10.)

IC 21-3-1.6-6

Repealed

(Repealed by P.L.53-1996, SEC.10.)

IC 21-3-1.6-7

Repealed

(Repealed by Acts 1979, P.L.208, SEC.12.)

IC 21-3-1.6-8

Repealed

(Repealed by Acts 1978, P.L.34, SEC.9.)

IC 21-3-1.6-9

Repealed

(Repealed by Acts 1979, P.L.208, SEC.12.)